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Atty Docket No. 022008-000100US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner Kam, Chih-Min
TELEPHONE NO.:

Group Art Unit 1653

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EXAMINER Kam, Chih-Min

CERTIFICATION OF FACSIMILE TRANSMISSION

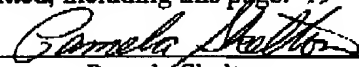
I hereby certify that the following document(s) in re Application of Ira G. SCHULMAN, et al., Application No. 09/982,544, filed October 10, 2001 for METHODS FOR AFFECTING VARIOUS DISEASES UTILIZING LXR COMPOUNDS is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form,
2. Fee Transmittal,
3. Petition For Extension of Time,
4. Notice of Appeal, and
5. Second Amendment and Response Under 37 C.F.R. §1.116

Number of pages being transmitted, including this page: 19

Dated: May 6, 2004


Pamela Skelton

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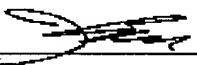
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 858-350-6100
Fax: 858-350-6111


60210457 v1

PTO/SB/21 (08-03)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/982,544
		Filing Date	October 10, 2001
		First Named Inventor	Schulman, Ira G.
		Art Unit	1653
		Examiner Name	Kam, Chih-Min
Total Number of Pages in This Submission	18	Attorney Docket Number	022008-000100US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Kawai Lau Reg. No. 44461
Signature	
Date	May 6, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on May 6, 2004	
Typed or printed name	Pamela Skelton
Signature	
Date	May 6, 2004

60210438 v1

PTO/SB/17 (10-03)

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 220

Complete if Known

Application Number 09/982,544
 Filing Date October 10, 2001
 First Named Inventor Schulman, Ira G.
 Examiner Name Kam, Chih-Min
 Art Unit 1653
 Attorney Docket No. 022008-000100US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	
		1002	340	2002 170 Design filing fee	
		1003	630	2003 265 Plant filing fee	
		1004	770	2004 385 Release filing fee	
		1005	160	2005 80 Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	2202 0 Claims in excess of 20	
		1201	96	2201 43 Independent claims in excess of 3	
		1203	290	2203 146 Multiple dependent claim, if not paid	
		1204	88	2204 43 ** Reissue independent claims over original patent	
		1205	18	2205 0 ** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051 65 Surcharge - late filing fee or oath	
		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053 130 Non-English specification	
		1812	2,520	1812 2,520 For filing a request for reexamination	
		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
		1251	110	2251 55 Extension for reply within first month	55
		1252	420	2252 210 Extension for reply within second month	
		1253	950	2253 475 Extension for reply within third month	
		1254	1,480	2254 740 Extension for reply within fourth month	
		1255	2,010	2255 1,005 Extension for reply within fifth month	
		1401	330	2401 165 Notice of Appeal	165
		1402	330	2402 165 Filing a brief in support of an appeal	
		1403	280	2403 145 Request for oral hearing	
		1451	1,510	1451 1,510 Petition to institute a public use proceeding	
		1452	110	2452 55 Petition to revive - unavoidable	
		1453	1,330	2453 665 Petition to revive - unintentional	
		1501	1,330	2501 665 Utility issue fee (or release)	
		1502	480	2502 240 Design issue fee	
		1503	640	2503 320 Plant issue fee	
		1460	130	1460 130 Petitions to the Commissioner	
		1807	50	1807 50 Petitions related to provisional applications	
		1808	180	1808 180 Submission of information Disclosure Sheet	
		8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
		1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	770	2801 385 Request for Continued Examination (RCE)	
		1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$220)

SUBMITTED BY

Complete if applicable

Name (Print/Type) Kawal Lau Registration No. (Attorney/Agent) 44461 Telephone 858-350-8100
 Signature [Signature] Date May 5, 2004

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60210423 v1

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PATENT

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Attorney Docket No.: 022008-000100US

TOWNSEND and TOWNSEND and CREW LLP

By: Pamela Skelton

Pamela Skelton

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MAY 06 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ira G. SCHULMAN, et al.

Application No.: 09/982,544

Filed: October 10, 2001

For: METHODS FOR AFFECTING
VARIOUS DISEASES UTILIZING LXR
COMPOUNDS

Customer No.: 20350

Confirmation No. 7779

Examiner: Kam, Chih-Min

Technology Center/Art Unit: 1653

SECOND AMENDMENT and RESPONSE
UNDER 37 C.F.R. § 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the "final" Office Action dated January 6, 2004, which set April 6, 2004 as the initial period for response. Accordingly, a petition for a one-month extension of time is enclosed herewith. This response is thus believed to be timely filed.

This is also in response to the Advisory Action mailed April 20, 2004.

Please amend the above-identified U.S. patent application as follows. Entry of the current amendments under 37 C.F.R. 1.116 is respectfully requested because they address and obviate an objection set forth in the Action, thus placing the claims in better form for consideration on appeal.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.